

USAC DENIAL OF APPEAL



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2010-2011

November 30, 2011

John Herndon
Jefferson Parish School Dist
4600 River Road
Marrero, LA 70072-1943

Re: Applicant Name: JEFFERSON PARISH SCHOOL DIST
Billed Entity Number: 139210
Form 471 Application Number: 737965
Form 486 Application Number: 826757
Funding Request Number(s): 1993160
Your Correspondence Dated: November 04, 2011

2011 DEC -6 AM 8:55

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2010 Form 500 Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1993160
Decision on Appeal: **Denied**
Explanation:

- On November 8, 2011, the appellant appealed the Service Start Date decision on Form 500 number 864942. USAC has determined that your FCC Form 486 826757 was filed within 120 days calculated from December 28, 2010, the date of the Funding Commitment Decision Letter (FCDL) or July 01, 2010, the Service Start Date (SSD) indicated on the FCC Form 486, whichever date is later. Your FCC Form 486 was certified on February 2, 2011, with a Service Start Date (SSD) requested as December 20, 2010. However, the appeal filed November 8, 2011 is beyond the 60-day period from the Form 486 Notification Letter dated March 30, 2011. Per procedures for requests for Form 500 Service Start Date (SSD) Correction due to Ministerial and Clerical Errors, if the applicant missed the appeal window for the original 486 Notification letter, the new Service Start

Date cannot be set any earlier than the Service Start Date as originally requested on the 486. The original date requested was December 20, 2010. Since Jefferson Parish School District has not provided sufficient evidence on appeal demonstrating that USAC erred in its decision, the appeal is denied.

- FCC rules require applicants to use recurring services within the relevant funding year and to implement non-recurring services by the applicable deadline established by the Commission. *See* 47 C.F.R. sec. 54.507(d). The FCC Form 486 informs USAC when the applicant is scheduled to receive or has received services in the relevant funding year from the named service provider. The receipt of a properly completed FCC Form 486 triggers the process for USAC to receive invoices. In order for an applicant to receive discounts retroactively to the Service Start Date (SSD), the FCC Form 486 should be postmarked no later than 120 days after the SSD featured on the FCC Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter (FCDL), whichever is later. When an applicant has missed a deadline to file its FCC Form 486, it is given an additional 20 calendar days from the date of receipt of USAC's written notice to file or amend its FCC Form 486 and receive services retroactively to the SSD. *See* Request for Review and Waiver of the Decision of the Universal Service Administrator by Alaska Gateway School District, Tok, AK, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-412028, et al., CC Docket No. 02-6, 21 FCC Rcd 10186-10187, DA 06-1871, para. 8 (rel. Sep. 14, 2006).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company